

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.279 OF 2020

Vijaya Omprakash Somani & others

Petitioners

Versus

Vasant Ganpat Khare & others

Respondents

Mr.Ajeet B. Kale, advocate for the petitioners.

Mr.M.G.Patil, advocate for Respondent No.1.

CORAM : ROHIT B.DEO, J.

DATE : 08/01/2020

PER COURT :

1 The petitioners, who are original defendants, are challenging the order dated 21,09.2019 in Misc. Civil Appeal No.31 of 2019, whereby and whereunder the appellate Court has refused to interfere with the *ex parte ad* interim injunction granted by the trial Court regarding possession of the suit property.

2 Rather than spending months agitating the legality of the *ad* interim injunction, the petitioners would have done better, in their own interest, had they insisted for early disposal of the application.

3 I am satisfied that the order impugned does not warrant
any interference in the writ jurisdiction.

4 The learned trial Court shall decide the application
under Order 39 Rules 1 and 2 of the Civil Procedure Code, on merits
within seven days of the conclusion of the submissions.

5 With the aforesaid observations, writ petition is
disposed of.

(ROHIT B.DEO)
JUDGE

adb